

Overview of Carhart and Wetmore court and property records at York County Maine
pertaining to properties of Robert and Rebecca Lord
inherited in 1676 from Major William Phillips

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In the book “A genealogical record of the descendants of Thomas Carhart, of Cornwall, England” written by descendant Mary Carhart-Dusenbury and published in 1880, a brief description is provided on page 90 of a court case at York County Maine in 1807-8 in which Carhart family members attempted to recover 20,000 acres of land in Maine as heirs of Major William Phillips (died 1683) via his son-in-law and daughter Robert and Rebecca Lord. The lawsuit was initiated by descendants of Thomas Carhart, whose wife Mary Lord was understood by family members to have been daughter of Robert and Rebecca Lord. As noted in the book, the lawsuit was discontinued and “no returns were made to the heirs.” This presumably disappointing outcome may raise questions in minds of modern readers whether the lawsuit had merit or legitimate basis and may contribute to uncertainty or skepticism whether Mary Lord-Carhart was in fact daughter of Robert and Rebecca Lord. The purpose of this overview is to examine any existing and retrievable York County Maine court and property records for more details than summarized in the 1880 book about the Carhart legal action of 1807-8, and to see if any of those records explain and clarify the claimed descent of Carhart family members from Robert and Rebecca Lord.

Source references, listed at the end of this overview, are publicly available and viewable on the internet. The principal reference materials were York County Maine court and property records at the FamilySearch.org [website](#).¹

Major William Phillips’ land holdings in Maine in early 1660s via Indian title included the Fluellen Tract, said or interpreted to have been an 8 mile square (64 square miles or 40,960 acres) located 8 miles inland from the sea. Nearby the Fluellen Tract, another large piece of land Major Phillips acquired via Indian title was about 32 square miles (approximately 4 by 8 miles in dimension) lying between the Kennebunk and Batson rivers. Altogether, Major Phillips’ land holdings in Maine are said to have totaled approximately 64,000 acres.

Roughly half (or a little less than half) of the Fluellen Tract was granted by Major Phillips in 1676 to 19 named persons, each to receive 1000 acres. Two of the named persons were Robert and Rebecca Lord, son-in-law and daughter of Major Phillips, who together received claim rights to 2000 acres. The apparent intent of the gifted 19,000 acres was to start a settlement or township, but the tract remained unoccupied for decades due to intermittent warfare and vulnerability of the location to attack by Indians and French.

In 1720s, some of the heirs and assignees of the original 19 grantees (who by then were deceased) arranged to survey the 19,000 acres, layout a township, and initiate settlement. This tract was called “The Nineteen Thousand Acres” or “Phillipstown Plantation,” incorporated in 1768 as the town of Sanford, named after Peleg Sanford, one of the original 19 grantees and Governor of Rhode Island in 1680s.

¹ FamilySearch allows free access with email registration.

The original surveyed 19,000 acres was rectangular 5.25 x 5.75 miles in dimension, divided into 3 ranges, the west, middle, and east ranges. Part of the west and middle ranges was set off for 40 non-proprietary settler lots of 130 acres each plus 1 lot for church, 1 lot for minister, and 1 lot for school. After layout, 2 of the surveyors were invited to become proprietors with full claim rights, thereby increasing the number of proprietors from 19 to 21. Thus, remaining acreage for 21 proprietors (after deducting acreage for settlers, minister, church, and school) was approximately 13,440 acres, meaning that heirs of Robert and Rebecca Lord retained claim rights to a total of about 1280 acres after initial survey and layout of the tract. Lots were assigned in the 3 ranges to each proprietor (or their heirs). Accordingly, Robert and Rebecca Lord were each assigned 3 lots, one lot each in the west, middle, and east ranges:

- Robert Lord: lot #11 west range; lot #2 middle range; lot #12 east range
- Rebecca Lord: lot #21 west range; lot #1 middle range; lot #7 east range

In 1761, in response to a petition about common and undivided land, proprietors and court annulled the original division of land and proceeded with a new division with caveat that anyone who occupied their land under the original plan would not be affected. This implies that heirs of Robert and Rebecca Lord, as absentee owners, had claim rights to reduced acreage. It appears from later records that lot number assignments in the three ranges were not altered, rather the change was likely a reduction in assigned number of acres, perhaps mainly affecting unoccupied proprietor lots in the east range, where no settler lots had been set up by the original plan. Later records of disposition suggest that the Lord lots averaged about 130 to 140 acres per lot, for a total acreage in the 6 Lord lots of roughly 800 acres after the 1761 division.

York County Maine land records show that 5 or 6 lots of Robert and Rebecca Lord were seized and auctioned for non-payment of taxes in 1779 (one of the seized properties may have been two lots sold together based on acreage). The seizure and sale of Lord property occurred about 3 years after the death of John Carhart of Rye NY (discussed below) and in midst of the American Revolution. All but one of the seized Lord properties were purchased at auction by John Stanyan, who was on the local Committee of Safety during the war and was consequently well-positioned to personally profit from property seizures that he may have helped to direct. Total stated acreage for the auctioned lots was 811 acres in the recorded sale documents, but lot identification numbers were not stated. One of the auctioned lots later sold to a secondary buyer was identified in the resale deed as Robert Lord's lot #11 (west range). It's likely that the seized and auctioned lots collectively represented the entirety of land in the tract belonging to the Lords' heirs. The recorded auction deeds stated that the auction buyer had full rights and privileges to the purchased property forever, "saving only the right of redemption" to the original owner and their heirs "as the law of this State has provided."

Whereas The Nineteen Thousand Acres tract at Sanford Maine was surveyed, divided, and assigned to heirs or devisees of the original 19 grantees of Major Phillips, the other nearby larger tract that Phillips acquired via Indian title between the Kennebunk and Batson rivers was conveyed in 1676 to a small group of grantees including son-in-law Robert Lord of London, mariner, but was never developed or settled in an organized manner by heirs or devisees of the grantees.

In August and September of 1805, James Wetmore was appointed attorney by his wife Esther, by Esther's brother, nieces, and nephews, and by children of Jonathan Carhart, for land claim rights in Massachusetts (i.e. York County Maine) as heirs of John Carhart of Rye; this was the beginning of 19th century attempts to

recover title to land in Maine. The next year, 1806, two power of attorney agreements authorized John Holmes Esquire of Alfred, York, Maine to serve as attorney for Carhart family members in pursuit of land claim rights as heirs or devisees of Robert Lord and/or Rebecca Lord as grantees or devisees of William Phillips long deceased. One agreement was authorized by James Wetmore attorney of Kortright, Delaware, NY in June of 1806, and the other by Daniel Carhart of Coeymans, Albany, NY in September of 1806. James Wetmore's wife Esther Kniffin was 1st cousin to Daniel Carhart; their shared grandfather was John Carhart of Rye NY who in turn was son of Thomas Carhart and Mary Lord. According to sworn deposition in September 1806 by Daniel Carhart's brother Thomas, it was well known and understood within the extended family that Mary Lord-Carhart was daughter of Robert Lord and Rebecca Phillips. Thomas Carhart's deposition outlined other Carhart and Kniffin family members (listed below, with generations numbered) the grandchildren and great-grandchildren of John Carhart of Rye. *Their names are shown in court records and property deeds as heirs of Robert and Rebecca Lord*, indicating genealogy as central to the claims.

1. William Phillips
2. Rebecca Phillips/Robert Lord
3. Mary Lord/Thomas Carhart
4. John Carhart of Rye NY/Anna Gleaves
5. Thomas Carhart/Elizabeth Purdy; Jonathan Carhart/Elizabeth Kniffin; Mary Carhart/Caleb Kniffin
6. Children of Thomas Carhart/Elizabeth Purdy: Thomas, Daniel, James, Hachaliah, Joshua, Anna (Gedney)
6. Children of Jonathan Carhart/Elizabeth Kniffin: Frances, Sarah, Deborah, William
6. Children of Caleb Kniffin/Mary Carhart: John (deceased), Caleb, Esther (wife of James Wetmore)
7. Children of John Kniffin (deceased): Caleb, Sarah, Elisha, John, William, Isaac

Upon examination of records pertaining to Carhart-Wetmore-Kniffin land claim efforts, it is evident from adjoining records that their attorney John Holmes also pursued York County Maine land claims for other clients around same time (early 1800s), including cases at Sanford (The Nineteen Thousand Acres) for heirs or devisees of other proprietors, including Peleg Sanford. In at least one case, the litigating heirs resided in Canada and England. Other records and references indicate that land claim conflicts and cases relating to former Indian title lands in Maine were common in the late 1700s and early 1800s. To clarify matters, Massachusetts State Legislature in 1782 passed an act to confirm boundaries of a large swathe of land held by proprietors in York County (Maine) as heirs and assignees of William and Bridget Phillips, but in so doing they stated that nothing in the act should be "construed as to injure, defeat, or make void any right or claim, which the Commonwealth have, or may have, to any part of said lands, which belonged to certain persons called conspirators or absentees." In other words, Massachusetts Legislature held view that properties within the defined Phillips tract that were confiscated during the recent war may have belonged to traitors, loyalists, or absentee non-supporters of the rebellion who shouldn't count on restitution. This was only 3 years after the Lord properties at Sanford Maine had been seized and auctioned during the war due to non-payment of taxes by absentee owner. The immediate post-war years were apparently not a favorable time to press recovery claims for land that had been seized and auctioned during the war. This

may explain why the Carharts didn't initiate action on their York County land claims until more than two decades after conclusion of the war, and three decades after the death of John Carhart of Rye.

One of the litigating Carhart brothers, Hachaliah, was a Quaker who was impressed into a Loyalist military unit (Queen's Rangers, quartermaster) during the war, though people at Sanford Maine may not have known this at the time. More likely, the Lord properties were seized and auctioned because no one asserting to be owner or manager of the properties had been around in some time—whether John Carhart of Rye, who died 3 years earlier, or anyone else—and local rebel authorities were hard-pressed for funds at height of the war. On the other hand, it's possible that John Carhart, during his final visit(s) to Maine in mid-1770s, may have been heard to comment unfavorably about American rebellion, so that the subsequent seizure and auction of Lord properties may have occurred not just because Carhart was an absentee manager/owner of the Lord properties, but perhaps also or mainly because he was a suspected Loyalist. A more thorough assessment of properties seized and sold at York County in 1779 might clarify whether Loyalists were selectively targeted for local confiscations. Incidentally, John Carhart's Quaker Loyalist grandson Hachaliah was grandfather of Carhart genealogy book author Mary Carhart-Dusenbury, who wrote a detailed heartfelt description of her grandfather in the book (p 98-99).

Soon after the several power of attorney agreements of 1805 and 1806 were in place, the Carharts and/or Wetmores were plaintiffs in a series of court cases at York County Maine from September 1806 to May 1809, including 8 cases at the Common Pleas Court, of which 2 cases were appealed at the Supreme Judicial Court. These cases are summarized as follows:

- 2 Common Pleas cases (unspecified claims) were dismissed due to non-appearance of plaintiffs and defendant
- 2 Common Pleas cases (money-owed claims) were won by plaintiffs due to non-appearance and default by defendant
- 1 Common Pleas case (limited land claim) won by plaintiffs due to non-appearance and default by defendant
- 1 Common Pleas case (limited land claim) won by defendant, appealed to Supreme Judicial Court, plaintiffs won the appeal
- 1 Common Pleas case (large land claim) was discontinued at request of plaintiffs who paid court costs
- 1 Common Pleas case (large land claim) won by defendant, appealed to Supreme Judicial Court, defendant won the appeal.

The Carharts and Wetmores were successful in the limited land claim cases involving two former Lord lots within The Nineteen Thousand Acres. Each 150-acre lot had been granted to Robert and Rebecca Lord as heirs of Major William Phillips. The court record states (plaintiffs' position) that John Carhart of Rye annually collected 50 dollars in rent and profit from the specific lot that was subject of the lawsuit, up until John Carhart's death late in 1776, having never parted with his right, whereby the right and inheritance of the subject lot descended to the three children of John Carhart of Rye (and via them to the plaintiffs). Evidently, based on outcome of these two cases, plaintiffs' claim to have descended from Robert and Rebecca Lord was upheld, or perhaps not challenged; the Carharts apparently argued successfully that John Carhart of Rye maintained an interest in the Lord properties until he died, and that the lots soon after were unjustly seized and auctioned.

The Carharts and Wetmores were unsuccessful in their larger land claims. Of the two large land claim cases, only one proceeded to conclusion. Some details of the completed case are summarized in the court record. Presumably the other large land claim case that was discontinued had a similar rationale and factual basis. For the completed case, the court record states that the subject land tract lay between the Kennebunk and Batson Rivers and extended inland from the seacoast to include 32 square miles (about 20,000 acres). This land tract was said to have been William Phillips' land by Indian title, included the towns of Arundel, Alfred, and Kennebunk, and was separate (distinct) from the town of Sanford and The Nineteen Thousand Acres portion of the Fluellen tract, where 6 lots were specifically assigned to Robert and Rebecca Lord as grantees of William Phillips. Defendants of the two large land cases were Thomas Perkins Jr. and Thomas Durrell, the former was a large landowner whose ancestors settled at the town of Arundel and along the Kennebunk River in 1720s when the land was in an unoccupied state of nature, and the latter was an agent representing inhabitants of the town of Arundel. The court record states (plaintiffs' position) that John Carhart of Rye annually collected 100 dollars in esplees (profits or products from the land), up until John Carhart's death late in 1776, at which time his right to the 32 square mile tract at Arundel descended by law to his 3 children (and via them to the plaintiffs). Plaintiffs claimed \$12,000 in damages from defendant's presence on the land and for withholding the land from the plaintiffs. Defense arguments are not summarized in the court record, but a later regional history book (*History of Kennebunk Port*, 1837) said the case was one of competing and overlapping land claims, resulting from multiple layouts and inaccurate measurements of tracts and lots, and was ultimately decided by "title of possession." Thus, the Carhart & Wetmore lack of success in the large land claim case was apparently due to vagueness or weakness of title, and their lack of occupancy of the disputed land. For nearly a century the contested lands had been occupied without challenge by multiple generations of other families, which suggests that a jury of local residents was not likely to award—to non-resident outsiders with tenuous claims—control of a large section of local land or large monetary compensation.

Despite defeat and discontinuation of their larger land claims, the Carharts and Wetmores (as noted) were successful in the smaller land claim cases pertaining to lots within the town of Sanford (The Nineteen Thousand Acres) previously assigned to Robert and Rebecca Lord. Those legal successes apparently motivated other Sanford residents to settle out of court by purchasing Lord lots on which they resided (and probably thought they owned) from the Carharts and the Wetmores. From September 1806 to December 1814, twelve properties corresponding to former Lord lots at Sanford were sold to local residents by the Carharts and Wetmores (12 recorded deeds), totaling 739 acres in exchange for \$1265. This outcome was mutually beneficial in that the Carharts and Wetmores were able to monetize their inherited land (though perhaps at low bargain prices) while the local-resident purchasers gained security from future challenges to legitimacy of their land ownership.

The buyers or grantees named in three of the 12 recorded property transfer deeds were unsuccessful defendants in three of the court cases pursued by the Carharts and Wetmores. The lots identified in the 12 recorded deeds included five of the six lots previously assigned to Robert and Rebecca Lord (listed earlier). The sixth Lord lot seemingly not included in the 12 transfer deeds was subject of a court case won by James and Esther Wetmore, whereby the 150-acre lot was recovered by the plaintiffs. Maybe this sixth lot was also sold to a local resident but the deed was not recorded, or maybe this lot was retained and sold at a later date by a Wetmore descendant. Although total acreage is difficult to precisely reconcile from existing records, it appears that the Carharts and Wetmores managed to recover or redeem all of the specific properties at Sanford previously assigned to Robert and Rebecca Lord as heirs of William Phillips, these

apparently being the same lots seized and auctioned by local authorities decades earlier, during the American Revolution, for non-payment of taxes by absentee owners.

Among the Carhart-Wetmore-Kniffin family members who were named in court and land records at York County Maine, the 3 individuals who appeared to lead property recovery efforts based on frequency and prominence of their names in the records were: 1) Daniel Carhart, grandson of John Carhart of Rye via his son Thomas; 2) Esther Kniffin-Wetmore, granddaughter of John Carhart of Rye via his daughter Mary; and 3) Esther's husband James Wetmore esquire. Five of Daniel Carhart's siblings (including Hachaliah, grandfather of Carhart genealogy book author Mary Carhart-Dusenbury) were named as co-plaintiffs with Daniel in the large land claim court case that was discontinued by request of the plaintiffs; and Daniel's brother Thomas provided a sworn deposition outlining family members and their lines of descent from Major William Phillips and Robert and Rebecca Lord. Daniel's brother Thomas was also named as one of multiple grantors (sellers) of former Lord properties in two of 12 recorded property deeds. Aside from these specific instances, Daniel Carhart's siblings (including Hachaliah) appeared in no other records pertaining to recovery of Lord properties, they seemed to have had no further involvement beyond the one large land claim case (which probably explains why author Mary Carhart-Dusenbury mentioned only the one large land claim case in her book). Another of Daniel's brothers, John, was not involved at all; he was not named in any of the York County records. The lead plaintiff(s) in all other court cases pertaining to former Lord properties were Daniel Carhart and/or his cousin Esther and her husband James Wetmore. These same three individuals were listed as grantors (sellers) on all 12 of the property deeds documenting redemption of Lord properties, along with Esther's brother Caleb Kniffin, five or six of their Kniffin nephews and nieces, and four children of Jonathan Carhart (Jonathan was deceased uncle of Daniel Carhart and Esther Kniffin-Wetmore).

One of the properties redeemed by the Carharts and Wetmores was purchased from them in 1814 by prominent local resident Caleb Emery, who was also an unsuccessful defendant in one of the Carhart-Wetmore court cases. The property Caleb Emery purchased from the Carharts and Wetmores was in the middle range of lots at Sanford, located at or near center of the middle range. In present day, there is a historic house in Sanford Maine called the Emery Homestead, located in the middle of Sanford on Lebanon Street just west of its intersection with Main Street. Construction of the house is said to have begun in 1830 by Caleb Emery's son. On present day maps, the next cross-street intersecting Main Street, running parallel to Lebanon Street and behind the Emery Homestead, is Lord Street. The author supposes, but does not know for fact, that Lord Street was named after original grantees of two corresponding middle-range lots, Robert and Rebecca Lord.

Comments from modern genealogical perspective:

Do the court records and property deeds described above 'prove' that John Carhart of Rye was grandson of Robert and Rebecca Lord and great-grandson of Major William Phillips?

Sworn deposition of John's grandson Thomas Carhart lays out this line of descent in detailed and believable way. A skeptic might say Thomas had reason to lie about line of descent since he and his relatives might profit significantly if their legal efforts to acquire properties or court-awarded damages were successful. Author's take on this point of skepticism is as follows: 1) people 300 years ago were typically far more religious, church-going, and God-fearing than people of today, and in general probably took seriously a sworn oath before God to testify truthfully, and from this standpoint the sworn deposition seems rather

unlikely to have contained intentional falsehoods about key details; 2) it's hard to imagine how or why so many members of the Carhart extended family who lived in different locations would concoct and cooperatively pursue a false scheme and narrative about people and circumstances far from where they lived (Maine is not particularly close to New York State, and was more remote in those days). It seems more believable and likely that members of the extended family already knew of their family's connection to Maine via personal experience and general knowledge within the family; 3) court decisions of two cases indicate that juries believed or accepted the line of descent from Robert and Rebecca Lord and Carhart family's connection to Maine; 4) there was considerable time and presumably motivation for defense to debunk the claimed line of descent, which if done would probably have won cases for defense. Since defense lost the cases, either they knew the line of descent was true, or probably true, and did not challenge it, or they tried but were unable to disprove or undermine the genealogical details; 5) a dozen or so local residents bought former Lord properties on which they resided from the Carharts-Wetmores, which suggests that local residents knew or accepted that the plaintiffs' overall story was true, including that John Carhart of Rye formerly managed properties at Sanford, Maine; 6) we now know of other circumstantial evidence (aside from York County records) consistent with the claimed Lord-to-Carhart line of descent (life details about English Smith and his wife Sarah Lord, Mary Lord's sister, in relation to Mary Lord-Carhart, not described herein). If the sworn deposition and court case details and outcomes aren't considered firm proof of descent from Robert and Rebecca Lord from modern genealogist's viewpoint, then those details in conjunction with other independent evidence (English Smith-Sarah Lord) essentially proves the line of descent circumstantially.

Another set of details about the court cases that a skeptic might wonder about veracity are assertions that John Carhart of Rye used to collect annual rent payments and esplees from properties in Maine that descended to him from Robert and Rebecca Lord. Since statements about John Carhart's business doings in Maine were recorded in the court summary, it's likely that some form of supporting evidence or testimony was provided to the court. If paper records were provided, then those records may have been lost. Case box files for York County Court of Common Pleas from the years 1801 to 1809 (Boxes 245 to 278) are not listed at the FamilySearch website, suggesting that those boxes are missing or lost. In her Carhart genealogy book, author Mary Carhart-Dusenbury said that a family Bible was submitted to court as genealogical evidence, but the Bible was never returned. Thus, the Bible and paper records from the Carhart court cases may have been stored in case file boxes that disappeared at some point. One can't help but wonder if there's a nefarious reason why those boxes went missing, since multiple land dispute cases occurred during those years.

Regarding John Carhart's doings in Maine, it may be telling that two of the earliest power of attorney agreements signed off by family members in 1805-06 referred to recovery of property rights inherited from John Carhart, suggesting that at the outset of their legal efforts, family members primarily associated the properties in Maine with their grandfather John Carhart, and the historically more remote connection to Robert and Rebecca Lord was not foremost in their minds. This 'tell' seems to support that family members knew their grandfather managed properties in Maine. A subsequent power of attorney agreement later in 1806, just before court cases began, explicitly stated that properties descended to the Carharts from Robert and Rebecca Lord. Our current limited view of fragmented remnants of information does not seem suggestive of or consistent with this having been a fabricated story.

A person called upon to assist defense in one of the Carhart-Wetmore cases (one of the limited land cases pertaining to The Nineteen Thousand Acres) was Benjamin Lord Jr., summoned during trial delay as warrantor for defendant Caleb Emery, likely because 5 years earlier Lord sold the subject property of lawsuit to Emery. Caleb Emery was a prominent man in the community for decades, going back to pre-Revolution days. Benjamin Lord Jr. purchased the subject property several years earlier from John Haggens who received the property by court order as compensation for damages (in a different unrelated lawsuit) by John Stanyan, who in turn bought the subject property at auction in 1779, in midst of the Revolution, after seizure of the property by local authorities from absentee owners Robert and Rebecca Lord for non-payment of taxes. After the trial resumed and completed, the jury (Court of Common Pleas) decided in favor of the defendant Emery. However, the case was appealed to the Supreme Judicial Court, where the Carhart-Wetmore plaintiffs prevailed. Benjamin Lord Jr. was member of an extended Lord family that resided locally in Berwick, Maine, descendants of immigrant Nathan Lord of Kent England who arrived in Maine in 1650s. On cursory search, it appears that Nathan Lord (of Kent) was not related to immigrant Thomas Lord (of Northamptonshire), Robert Lord's father. Perhaps Benjamin Lord Jr., because of his last name and because he was locally known, aided the defense by sowing confusion or doubts in jurors' minds about priority of Carhart claim rights as descendants of Robert and Rebecca Lord. If this was the intent of Benjamin Lord's participation, it didn't work in a lasting way since Carhart-Wetmore plaintiffs eventually won the case on appeal.

John Carhart of Rye was evidently presumed in court proceedings to have been sole recipient of Robert and Rebecca Lord properties in Maine. None of John Carhart's full brothers or Warne half-siblings were mentioned in the York County records, and maybe it was unnecessary to do so since John Carhart was apparently oldest son of Thomas Carhart and Mary Lord, and as oldest son may have been sole recipient of his mother's inherited claim rights to land in Maine in absence of a parental will to say differently. However, the Carhart-Wetmore-Kniffin descendants of John Carhart explicitly did not follow the principle of primogeniture for their own inheritances. By Massachusetts Commonwealth law, as stated in the York County records, inheritance was apportioned 2:1:1 to descendants of John Carhart's 3 children: Thomas as oldest son, Jonathan, and Mary, respectively. A will for John Carhart of Rye was not mentioned in the records. Even earlier, potential heirs by other lines of descent could conceivably have been a complication if Mary Lord-Carhart-Warne was not the only child of Robert and Rebecca Lord who survived to adulthood and had living descendants (potential heirs), yet no clear justification was provided in the York County records about Mary Lord as sole beneficiary of her parents. Maybe the possible existence of other heirs of Robert and Rebecca Lord was considered a non-issue from legal standpoint because no one else (other than the Carharts, Wetmores, and Kniffins) was demanding restitution of claim rights as heirs of Robert and Rebecca Lord, and therefore an accounting of other possible heirs was unnecessary.

In summary, the Carhart-Wetmore lawsuits to restore their land claims in Maine succeeded in some cases and failed in others. Success seems to have been mainly dependent organized early efforts having been made (before arrival of interlopers) to settle and develop land previously granted by Major Phillips to Robert and Rebecca Lord. Genealogical descent of the Carharts from Robert and Rebecca Lord was evidently believed and accepted by juries and local residents. The Lord-Carhart lineage was not disproven or successfully challenged by opponents who had time and motivation to dispute the lineage if they had reason to think it wasn't true.

References and Source Notes

General note: the FamilySearch website is accessible without fees after free user registration; the Archive.org website is accessible without fees

Carhart, Mary E. Carhart Dusenbury. *A genealogical record of the descendants of Thomas Carhart, of Cornwall, England*. New York: A.S. Barnes, 1880. [Archive.org link](#)

York County Maine Deeds, 1642-1904 and Index to Deeds, 1647-1905. Online database with images at FamilySearch.org. Digitized microfilm images of original records at York County Courthouse, Alfred, Maine. Indexes are non-searchable images. [FamilySearch link](#)

York County Maine Record of the Courts, 1636-1852. Online database with images at FamilySearch.org. Digitized microfilm images of original records at the Maine State Archives, Augusta, Maine. Records are arranged chronologically by court. [FamilySearch link](#)

York County Maine Supreme Judicial Court records, 1798-1929. Online database with images at FamilySearch.org. Digitized microfilm images of original records at Maine State Archives, Augusta, Maine. Records are arranged chronologically. [FamilySearch link](#)

Original deeds from William Phillips to Robert Lord for lands in Maine:

- Maine Historical Society and Maine Genealogical Society. *York Deeds Vol 3*. Portland, Maine: Hull and Thurston, 1888. Folio 3, p 35-43. [Archive.org link](#)

Underhill, Lora A. W. *Descendants of Edward Small of New England, and the Allied Families, with Tracings of English Ancestry*. Cambridge, Massachusetts: private printing by Riverside Press, 1910. v 1 p 44-46. [Archive.org link](#)

Crapo, Henry H. *Certain Comeoverers*. New Bedford, Massachusetts: Anthony & Sons, 1912. v 2 p 585-595. [Archive.org link](#)

Emery, Edwin. *The history of Sanford, Maine, 1661-1900*. Salem, Massachusetts: The Salem Press, 1901. Chapters 2 to 7. [Archive.org link](#)

York County Maine property deeds for seized and auctioned properties of Robert and Rebecca Lord:

- Four deeds at v 47 p 124-128. [FamilySearch link](#)
- One deed at v 59 p 116. [FamilySearch link](#)
- Deed for lot, later resold, identified as Robert Lord Lot 11 West Range, at v 47 p 128. [FamilySearch link](#)

Power of attorney agreements for Carhart and Wetmore family members recorded in York County Maine property deed books:

- August and September 1805 agreements at v 86 p 209-210 and p 212-213. [FamilySearch link](#)
- June and September 1806 agreements at v 76 p 135-136. [FamilySearch link](#)

Deposition of Thomas Carhart in which Carhart and Kniffin family members were outlined and described as heirs of Robert and Rebecca Lord was recorded in York County Maine property deed books at v 76 p 146-147. [FamilySearch link](#)

An ACT for confirming certain Lands, lying in the County of York, to certain Persons claiming the same, under William Phillips and Bridget Phillips. In: *Private and Special Statutes of the Commonwealth of Massachusetts from 1780 to 1805.* Boston: Manning & Loring, 1805. v 1 p 36-38. [Archive.org link](#)

Court of Common Pleas, York County Maine: eight cases initiated by Carhart or Wetmore plaintiffs, case summaries:

- September 1806, v 27 p 507, item 52. [Archive.org link](#)
- September 1806, v 27 p 528, item 47. [Archive.org link](#)
- September 1807, v 28 p 270-271, item 76. [Archive.org link](#)
- September 1807, v 28 p 271, item 77. [Archive.org link](#)
- April 1808, v 29 p 5, item 17. [Archive.org link](#)
- April 1808, v 29 p 48-49, item 55. [Archive.org link](#)
- April 1808, v 29 p 96, item 141. [Archive.org link](#)
- April 1809, v 29 p 433, item 296. [Archive.org link](#)

Supreme Judicial Court, York County Maine, two cases initiated by Wetmore plaintiffs, case summaries:

- November 1808, v 2 p 324-325, item 10. [Archive.org link](#)
- May 1809, v 3 p 15, item 28. [Archive.org link](#)

Bradbury, Charles. *History of Kennebunk Port, from its first discovery by Bartholomew Gosnold, May 14, 1602, to A. D. 1837.* Kennebunk, Maine: J. K. Remich, printer, 1837. p 186. [Archive.org link](#)

York County Maine property deeds (month of instrument is noted, and recording in public records was not in the same order). 12 properties (lots formerly assigned to Robert and Rebecca Lord) transferred by Carhart and Wetmore family members as grantors:

- September 1806, v 76 p 193-194. [FamilySearch link](#)
- September 1807, v 77 p 129-130. [FamilySearch link](#)
- September 1807, v 77 p 153-154. [FamilySearch link](#)
- September 1806, v 81 p 13-14. [FamilySearch link](#)
- September 1807, v 84 p 268-269. [FamilySearch link](#)
- September 1806, v 87 p 211-212. [FamilySearch link](#)
- September 1806, v 87 p 237-238. [FamilySearch link](#)
- November 1811, v 91 p 264-265. [FamilySearch link](#)
- September 1806, v 97 p 7. [FamilySearch link](#)
- December 1814, v 98 p 101-102. [FamilySearch link](#)
- September 1806, v 98 p 264. [FamilySearch link](#)
- January 1812, v 101 p 143-144. [FamilySearch link](#)

The Emery Homestead at Sanford, Maine. Nomination Form for National Register of Historic Places, 1980. [National Park Service link](#)

Court of Common Pleas case file boxes, York County Maine. Index to online collection at FamilySearch.org. Boxes 245 to 278, years 1801 to 1809, are not listed in the index and appear to be missing. [FamilySearch link](#)